

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 97-358-W - ORDER NO. 97-1003  
NOVEMBER 24, 1997

JMR

IN RE: Rickey and Brenda Bryant,	)	ORDER
	)	DISMISSING
Complainants,	)	COMPLAINT
	)	
vs.	)	
	)	
Carolina Water Service, Inc.,	)	
	)	
Respondent.	)	
	)	
	)	

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This matter comes before the Public Service Commission of South Carolina on the complaint of Rickey and Brenda Bryant (the Bryants) against Carolina Water Service, Inc. (CWS or the Company).

A hearing was held on this matter on November 12, 1997 at 2:30 P.M. in the offices of the Commission, with the Honorable Guy Butler, Chairman, presiding. Brenda Bryant appeared pro se. The Company was represented by Robert T. Bockman, Esquire. The Commission Staff was represented by F. David Butler, General Counsel. Mrs. Bryant testified on her own behalf. CWS presented the testimony of Samuel B. Davis. The Commission Staff presented no witnesses.

The gravamen of the Bryant's complaint is that Carolina Water Service, Inc. caused water damage to their bathroom floor, and

that, due to alleged negligence in maintaining the Company's sewer main, the Bryant's toilet backed up, and that the wax seal was damaged, thereby causing excessive usage of water. The Bryants therefore contest all bills accordingly.

Samuel B. Davis, the Company's witness, testified that the records show that the Bryants did consume the stated amount of water and owed \$920.26 for the period through September 30, 1997. Davis denied the claim that the Company's actions had damaged the wax seal on the Bryant's toilet. Davis stated his belief that the Commission should not adjust the Bryant's bill under the circumstances of this case.

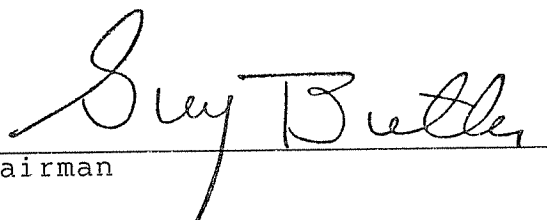
It should be noted that this Commission has no statutory authority to order the payment of damages in this type of situation. The Bryants are simply in the wrong forum. However, it does appear that the Bryant's water usage was properly billed by the Company. We therefore decline to order an adjustment in the Bryant's water and sewer bill.

We do realize that the amount of the arrearage is large. We therefore order that the Bryants shall pay \$200 every two months (to coincide with the Company's billing cycle) towards the arrearage until all of the arrearage has been paid. This amount shall be paid before the specific date that the bi-monthly bill becomes past due. Further, the the Bryant's must keep their bi-monthly bills from Carolina Water Service, Inc. otherwise current. Failure to follow this Order in these particulars may result in termination of service by the Company pursuant to this

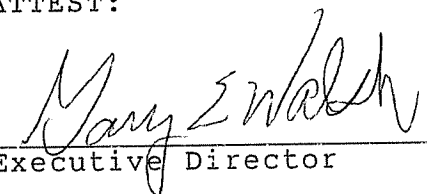
Commission's termination of service regulations.

The Complaint is dismissed. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
~~Deputy~~ Executive Director

(SEAL)